

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ABENAMAR ZAPATA PONCE,

Petitioner,

v.

JEFFREY UTTECHT,

Respondent.


Case No. C20-6261-JLR-MLP

ORDER OF DISMISSAL

Having reviewed the Report and Recommendation of the Honorable Michelle L. Peterson, United States Magistrate Judge, any objections or responses to that, and the remaining record, the Court finds and ORDERS:

- (1) The Court ADOPTS the Report and Recommendation;
- (2) Plaintiff's habeas petition (dkt. # 7), and this action, are DISMISSED with prejudice;
- (3) Plaintiff's "Motion for Vicarious Exhaustion of State Remedies" (dkt. # 8) and "Motion to Compel for Information (Show Cause)" (dkt. # 9) are DENIED as moot;
- (4) A certificate of appealability is DENIED as to all claims; and
- (5) The Clerk is directed to send a copy of this Order to Plaintiff.

1 Dated this 19<sup>th</sup> day of March, 2021.

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JAMES L. ROBART  
United States District Judge